THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24244 of 2006

Date:06.03.2007

Between:

P.Lakshman Rao

PETITIONER

AND

The District Collector and District Election Authority and another.

---------RESPONDENTS

ORDER:

The petitioner claims that he is the Chief Promotor of the Rajahmundry Municipal Corporation, Grade-I, Toddy Tappers Cooperative Society. There existed 34 members in the society. Dispute arose as to the admission of 19 more members. The society approached the A.P. Cooperative Tribunal, Visakhapatnam by filing O.A.No.102 of 2006 challenging the orders, dated 10.03.2006, through which, the second respondent directed the society to admit the said 19 members. Initially, an interim order was passed on 21.11.2006. Thereafter, the O.A. was disposed of on 11.01.2007, directing that the eligibility of the said 19 members shall be decided by convening a general body meeting. In the meanwhile, the second respondent conducted elections to the managing committee of the society on 23.11.2006, in pursuance of a direction issued by the District Collector and Election Authority vide his proceedings, dated 07.11.2006. the petitioner challenges the validity of the election on the ground that it was conducted on the basis of an invalid voters list.

Heard the learned counsel for the petitioner and the learned

Government Pleader for Prohibition and Excise.

On behalf of the petitioner, several contentions are advanced and reference is made to various proceedings.

From the brief narration of the facts in the previous paragraphs, it is evident that the election came to be held even while O.A.No.102 of 2006 was pending. The Tribunal disposed of the O.A. about one and half months subsequent to the date on which the elections were held. The petitioner or the society, as the case may be, would certainly have brought this development to the notice of the Tribunal. Further, the elections to a society can be challenged by way of election petition. This Court cannot undertake adjudication of such disputes.

For the foregoing reasons, the writ petition is disposed of, leaving it open to the petitioner to work out his remedies, in accordance with law. There shall be no order as to costs.

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06.03.2007

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